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Message Text

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60
ACTION L-03

INFO OCT-01 IO-14 ISO-00 CIAE-00 PM-07 H-03 INR-10 NSAE-00

NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20 USIA-15

ACDA-19 CPR-02 DRC-01 AF-10 ARA-16 EA-11 EUR-25

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SUBJ: UNGA--LEGAL COMMMITTEE--PROTECTION OF DIPLOMATS

REF: USUN 5403

SUMMARY RESOLUTION ADOPTING CONVENTION ON PROTECTION OF DIPLOMATS APPROVED BY CONSENSUS IN SIXTH COMMITTEE. END SUMMARY.

1. AT MORNING MEETING OF LEGAL COMMITTEE DEC 6, AFRICAN GROUP OBVIOUSLY DEEPLY DIVIDED OVER WHETHER TO ACCEPT NEW COMPROMISE PACKAGE REPORTED REFTEL. NORTH AFRICANS LED BY ALGERIA WERE ARGUING FOR POSTPONEMENT OR ALTERNATIVELY VARIOUS CHANGES IN RESOLUTION, INCLUDING "AFFIRMS" IN OPERATIVE PARA 4, "ALWAYS" IN OPERATIVE PARA 6 AND ELIMINATION OF UNDERSTANDING WITH REGARD TO WITHDRAWAL OF ARTICLE ON RESERVATIONS (PART B OF L. 965 TRANSMITTED IN USUN 5304).

2. SITUATION FURTHER COMPLICATED BY OBVIOUS FRENCH EFFORTS TO DRUM UP SUPPORT FOR POSTPONEMENT AND ABSENCE FROM A.M. MEETING OF KEY AFRICAN MODERATES, SHITTA-BEY (NIGERIA) AND NJENGA (KENYA). MEETING ADJOURNED EARLY TO PERMIT MEETING OF AFRICAN GROUP.
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3. AT OPENING P.M. MEETING WE THAT INFORMED AFRICAN GROUP SPLIT AND MAJORITY LEANING TOWARD DEFERRING. SHITTA-BEY (NIGERIA) TOOK FLOOR AS ACTING CHAIRMAN DRAFT COMITE AND PRESENTED COMPROMISE PACKAGE REPORTED REFTEL. NIGER SAID COMPROMISE WAS AD REFERENDUM TO AFRICAN GROUP AND GROUP HAD REJECTED IT. MAURITANIA ECHOED THIS AND MALI TOOK FLOOR TO SAY HE COULD CONSIDER ACCEPTING COMPROMISE ONLY IF UNDERSTANDING RE RESERVATIONS ARTICLE DELETED AND SOME CHANGES MADE TO RES. SANCHEZ-GAVITO (MEXICO) INTERVENED WITH STRONG STATEMENT SAYING MEXICO HAD ACQUIESCED IN PARA 4 OF RES EVEN THOUGH IT WHOLLY IRRELEVANT. HE SAID FOR AFRICANS NOW TO PICK AT PACKAGE AND SEEK TO SEPARATE ITS PARTS WAS WRONG AND MEXICO WOULD OPPOSE ANY SUCH MOVES. STEEL (UK) SAID ABILITY OF WEO GROUP TO ACCEPT COMPROMISE DEPENDED ON ITS REMAINING INTACT. BULGARIA URGED PACKAGE BE ACCEPTED AS IT STOOD. NIGER THEN REQUESTED AND OBTAINED SUSPENSION OF MEETING.

4. AFRICAN GROUP HUDDLED IN CORNER OF ROOM AND OBVIOUSLY WAS HAVING VERY HEATED FIGHT. SHITTA-BEY AND SAM (GHANA) DETACHED THEMSELVES FROM FRAY AND APPROACHED US, UK, JAPAN, AUSTRALIA AND SAID THEY COULD NOT HOLD GROUP UNLESS THEY COULD MAKE SOME GESTURE TO HARD HEADS. THEY PLEADED THAT WE ACCEPT INSERTION OF WORD "ALWAYS" IN OPERATIVE PARA 6 OF RES. STEEL (UK) ASKED WHETHER THEY UNDERSTOOD THIS AS REFERRING TO PUBLICATION BY UN ONLY. THEY SAID YES. OTHERS SAID ON THAT BASIS THEY COULD ACCEPT CHANGE. WE URGED SHITTA-BEY AND SAM TO TO STICK TO PRECISE LANGUAGE OF PACKAGE AGREED DEC 5. THEY SAID THEY PERSONALLY COULD DO SO BUT NIGER AS CHAIRMAN OF GROUP WOULD CALL FOR SEPARATE VOTE ON UNDERSTANDING RE WITHDRAWAL OF RESERVATIONS ARTICLE AND IT WOULD BE DELETED. THEY AGREED TO MAKE ONE MORE TRY WITH GRUOP BUT RETURNED FIVE MINUTES LATER AND SAID WITH AGREEMENT ON WORD "ALWAYS" THEY COULD DELIVER ENTIRE GROUP; WITHOUT IT RESERVATIONS EXPLANATION WOULD GO. WE SAID WE WOULD NEITHER AGREE NOR OBJECT TO "ALWAYS."

5. CHAIRMAN RECONVENED MEETING. NIGER ANNOUNCED HIS GROUP'S WILLINGNESS TO ACCEPT PACKAGE WITH ADDITION OF "ALWAYS". CHAIRMAN ASKED WHETHER THERE ANY OBJECTIONS AND THEN DELCARED RESOLUTION, CONVENTION AND STATEMENT FOR REPORT ALL ADOPTED
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BY CONSENSUS OF LEGAL COMMITTEE.

6. STEEL (UK) EXPLAINED BASES ON WHICH "ALWAYS" HAD BEEN ACQUIESCED IN AND NO ONE OBJECTED.
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